

RECEIVED
CENTRAL FAX CENTER

JUL 21 2006

APPENDIX A

Docket No.: 56579 (70207)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Peter C. Meltzer, et al.

U.S.S.N.: 10/033,621

EXAMINER: Charanjit Aulakh

FILED: December 27, 2001

ART UNIT: 1625

FOR: TROPANE ANALOGS AND METHODS AND METHODS FOR
INHIBITION OF MONOAMINE TRANSPORT

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. §1.132

Dear Sir:

I, Peter C. Meltzer, Ph.D., declare and say that I am a resident of the United States. I am a co-inventor of claims 1-7, 9-18, 20-24, 29-31, 33-35, 37, 39-41, and 44-49 in the above-identified application (hereinafter "Application"). I personally performed, directed and/or assisted in research leading to the invention.

I have recently read the Application and the Office Action dated March 21, 2006 ("Office Action") issued in the Application. As I understand it, certain of the claims have been rejected by the Examiner in view of the article entitled *Synthesis of 6- and 7-Hydroxy-8-aza-bicyclo[3.2.1]octanes and Their Binding Affinity for the Dopamine and Serotonin Transporters* by Peter C. Meltzer, Bing Wang, Zhengming Chen, Paul Blundell, Muthusamy Jayaraman, Mario D. Gonzalez, Clifford George and Bertha K. Madras, which was published on the Web on June 30, 2001 and in *J. Med. Chem.* 44:2619-2635 (2001) (hereinafter "Article"). Of the above-listed authors of the Article, Peter C. Meltzer, Bertha K. Madras, and Paul Blundell are named as co-inventors of the Application.

Peter C. Meltzer, et al.
U.S.S.N.: 10/033,621
Page 2

I hereby declare that the Article describes the work of myself, Bertha K. Madras, and Paul Blundell and that I, Bertha K. Madras, and Paul Blundell are the three sole co-inventors of the Application. The contributions of co-authors Bing Wang, Zhengming Chen, Muthusamy Jayaraman, Mario D. Gonzalez, and Clifford George were in the area of preparation and/or analysis of certain compounds under my direction and control. They did not contribute to the conception of the claimed compounds and/or methods. I further declare that co-authors Bing Wang, Zhengming Chen, Muthusamy Jayaraman, Mario D. Gonzalez, and Clifford George are not co-inventors of the Application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title XVIII of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

Peter C. Meltzer